

By: Williams, et al.

S.C.R. No. 23

CONCURRENT RESOLUTION

1 WHEREAS, Hardworking American women and men spend their
2 lifetime saving to provide for their children and grandchildren,
3 paying taxes all the while, and just when the purpose of that saving
4 is about to be realized, families find that between 37 percent and
5 55 percent of their after-tax savings are lost to the federal death
6 tax; and

7 WHEREAS, The death tax, which includes both estate and gift
8 taxes and the tax on generation-skipping transfers, was not
9 permanently eliminated but only temporarily phased out by the 107th
10 Congress when it passed the Economic Growth and Tax Relief
11 Reconciliation Act in June 2001; and

12 WHEREAS, Women and minorities very often are owners of small
13 and medium-sized businesses, and the death tax prevents their
14 children from reaping the rewards of a lifetime spent by parents
15 trying to make a better life for their families; and

16 WHEREAS, Similarly, farmers and other family business owners
17 will face the potential loss of their farms and businesses if the
18 federal government resumes the heavy taxation of citizens at their
19 death; and

20 WHEREAS, Employees suffer the loss of their jobs when small
21 and medium-sized businesses are liquidated to pay death taxes,
22 while the unemployed and those newly entering the workforce suffer
23 because high capital costs depress the number of new businesses
24 that could offer them a job; and

1 WHEREAS, If the death tax had been repealed in 1996, the
2 United States economy would have averaged as much as \$11 billion in
3 extra output per year over the following nine years and also would
4 have created an average of 145,000 additional new jobs per year; and

5 WHEREAS, In addition, the persistent uncertainty created by
6 the sunset provision in the federal law prevents families and small
7 businesses from taking advantage of the temporary repeal; and

8 WHEREAS, Having repeatedly been passed by both the U.S. House
9 of Representatives and the U.S. Senate, legislation eliminating the
10 death tax has enjoyed wide bipartisan support, as shown by passage
11 of the Economic Growth and Tax Relief Reconciliation Act just four
12 years ago; and

13 WHEREAS, The Family Heritage Preservation Act, which already
14 has garnered 111 cosponsors in the U.S. House of Representatives
15 and was referred to the House Committee on Ways and Means on January
16 4, 2005, proposes to repeal the federal death tax, including the
17 estate and gift taxes and the tax on generation-skipping transfers;
18 now, therefore, be it

19 RESOLVED, That the 79th Legislature of the State of Texas
20 hereby respectfully urge the Congress of the United States to
21 support H.R. 64, the Family Heritage Preservation Act, and work
22 toward passage of an immediate and permanent repeal of the death
23 tax; and, be it further

24 RESOLVED, That the Texas secretary of state forward official
25 copies of this resolution to the president of the United States, to
26 the speaker of the house of representatives and the president of the
27 senate of the United States Congress, and to all the members of the

S.C.R. No. 23

1 Texas delegation to the congress with the request that this
2 resolution be officially entered in the Congressional Record as a
3 memorial to the Congress of the United States of America.